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November 13, 1989

John M. Kyle, III, Esq.  
BARNES & THORNBURG  
1313 Merchants Bank Building  
Indianapolis, IN 46204

Re: EPA CERCLA Section 106 Order Issued in Connection With  
Petroleum Spill at Great Lakes Asphalt, Inc. (GLA Site)

Dear John:

As you are probably aware, U.S. EPA Region V has issued a CERCLA Section 106 Order requesting the development of a work plan for necessary remedial work at the GLA site which was issued to our clients Great Lakes Asphalt, Inc., and Madgel C. McAllister, as well as additional respondents. In addition to the fact that we believe the CERCLA Section 106 Order was inappropriately directed to our clients, it is also an unfortunate situation that our clients are not financially able to implement a work plan of the scope requested in the Section 106 Order.

Because your office represents the ECC PRP generator groups, and because it appears that the GLA cleanup is simply an extension of the ongoing ECC cleanup plan, it would seem logical that your clients would be interested in voluntarily submitting a work plan to EPA in connection with the proposed remedial action at GLA. This approach would provide your clients with an opportunity to get involved at an early stage in the proposed work plan and thereby minimize the potential liability for cleanup costs necessitated by this most unfortunate incident.

If you have any questions, please do not hesitate to contact our office. Thank you for your attention in this matter.

Very truly yours,

PARR, RICHEY, OBREMSKEY & MORTON

By

*Jeffrey Frandsen*

JHF/eu

cc: Madgel C. McAllister